



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/692,522	10/24/2003	Raymond T. Westfall	EES-2

1473
 FISH & NEAVE
 1251 AVENUE OF THE AMERICAS
 50TH FLOOR
 NEW YORK, NY 10020-1105



CONFIRMATION NO. 9849

FORMALITIES LETTER



OC000000011823539

Date Mailed: 02/04/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

08/20/2004 ZJUHR1 00000031 10692522

01 FC:2051

65.00 OP

Express Mail No.:
 EV371752770US

8136

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



EES-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants : Raymond T. Westfall et al.
Application No. : 10/692,522 Confirmation No. : 9849
Filed : October 24, 2003
For : APPARATUS AND METHODS FOR MODULATING
REFRACTIVE INDEX
Group Art Unit : 2873
Examiner : Not Yet Assigned

Mail Stop MISSING PARTS
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

EXPRESS MAIL CERTIFICATION

Express Mail Label No. EV371752770US

Date of Deposit: August 18, 2004

I hereby certify that this certification and the following papers and fees:

1. Response to Notice to File Missing Parts (in duplicate);
2. A copy of the February 4, 2004 Notice to File Missing Parts;
3. Two executed Declarations & Powers of Attorney;
4. Check in the amount of \$65.00 (surcharge fee); and;
5. Check in the amount of \$1005.00 (extension of time)

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Mail Stop MISSING PARTS, Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name: Claire J. Saintil-van Goedman



PATENTS
EES-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants : Raymond T. Westfall et al.
Application No. : 10/692,522 Confirmation No. : 9849
Filed : October 24, 2003
For : APPARATUS AND METHODS FOR MODULATING
REFRACTIVE INDEX
Group Art Unit : 2873
Examiner : Not yet assigned

New York, New York 10020
August 18, 2004

Mail Stop MISSING PARTS
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

Responsive to the February 4, 2004 Notice to File
Missing Parts of Nonprovisional Application for the above-
identified patent application, applicants hereby submit the
following:

1. A copy of the February 4, 2004 Notice to File
Missing Parts of Nonprovisional Application;
2. Two Declarations and Powers of Attorney
executed by the inventors;
3. A check in the amount of \$65.00 in payment of
the surcharge; and

08/20/2004 ZJUHR1 00000031 10692522

02 FC:2255

1005.00 OP

Express Mail No.:
EV371752770US

4. A check in the amount of \$1005.00 in payment of the extension.

The Director is hereby authorized to charge any additional surcharge or other fee due, or to credit any overpayment, in connection with this Submission, to Deposit Account No. 06-1075. A duplicate copy of this Submission is enclosed herewith.

Respectfully submitted,



Adam M. Saltzman
Registration No. 52,188
Agent for Applicants
FISH & NEAVE
Customer No. 1473
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000